

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**Aug 18, 2008**FILED
CLERK'S OFFICEUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**IN RE: AFTERMARKET FILTERS ANTITRUST LITIGATION**

MDL No. 1957

FILED: AUGUST 18, 2008

08CV4801

JUDGE GETTLEMAN

TRANSFER ORDER

Before the entire Panel*: Now before the Panel are three motions brought, pursuant to 28 U.S.C. § 1407, for coordinated or consolidated pretrial proceedings of some or all of the actions listed on Schedule A. In total, the motions encompass 25 actions, twelve actions in the District of Connecticut, four actions each in the Northern and Southern Districts of Illinois, three actions in the District of New Jersey and one action each in the Eastern and Middle Districts of Tennessee.¹

Plaintiffs in eight actions filed the three motions seeking centralization in the District of Connecticut, the Northern District of Illinois, or the Southern District of Illinois.² All responding plaintiffs support centralization in one of these districts or the Northern District of California.³ All defendants⁴ support centralization in the District of Connecticut.

On the basis of the papers filed and hearing session held, we find that these 25 actions involve common questions of fact, and that centralization under Section 1407 in the Northern District of Illinois will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. All actions share allegations that the defendants conspired to fix, raise, maintain or

* Judge Heyburn took no part in the decision of this matter.

¹ The parties have notified the Panel of 21 related actions pending in multiple federal districts. These actions and any other related actions will be treated as potential tag-along actions. *See* Rules 7.4 and 7.5, R.P.J.P.M.L., 199 F.R.D. 425, 435-36 (2001).

² Plaintiffs in two other actions moved for Section 1407 transfer to the District of New Jersey, but subsequently withdrew their motion.

³ In his response, plaintiff in one District of Connecticut action also suggested the Eastern District of New York as an alternative choice for transferee district.

⁴ ArvinMeritor, Inc.; Baldwin Filter Inc.; Robert Bosch LLC; Champion Laboratories, Inc.; Cummins Filtration Inc.; Donaldson Company Inc.; International Inc.; Wix Filtration Corp. LLC; Mann + Hummel U.S.A., Inc.; Purola; and United Components, Inc.

A TRUE COPY ATTEST
MICHAEL W. DOBBINS, CLERK
By s/ WILLIE A. HAYNES
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS
DATE: AUGUST 22, 2008

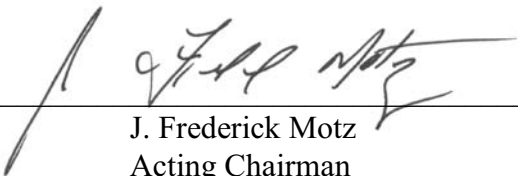
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stabilize prices, rig bids and allocate customers of aftermarket automotive filters in the United States, in violation of federal and/or state antitrust law. Centralization under Section 1407 will eliminate duplicative discovery, prevent inconsistent pretrial rulings, and conserve the resources of the parties, their counsel and the judiciary.

Any of the districts suggested by the parties would be an appropriate transferee forum; however, on balance, we are persuaded that the Northern District of Illinois is a preferable transferee forum for this litigation. Several actions are already pending in this district before one judge, and plaintiffs in numerous actions pending in this district and elsewhere support the Northern District of Illinois as their first or second choice for transferee district. Considerations of convenience and accessibility also favor the Northern District of Illinois.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the actions listed on Schedule A and pending outside the Northern District of Illinois are transferred to the Northern District of Illinois and, with the consent of that court, assigned to the Honorable Robert W. Gettleman for coordinated or consolidated pretrial proceedings with the actions listed on Schedule A and pending in that district.

PANEL ON MULTIDISTRICT LITIGATION



J. Frederick Motz
Acting Chairman

John G. Heyburn II, Chairman*
Kathryn H. Vratil

Robert L. Miller, Jr.
David R. Hansen

**IN RE: AFTERMARKET FILTERS
ANTITRUST LITIGATION**

MDL No. 1957

SCHEDULE A

District of Connecticut

S&E Quick Lube Distributors, Inc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-475 -08cv4781
Flash Sales, Inc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-512 -08cv4782
William C. Bruene, etc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-522 -08cv4783
T.D.S. Co., Inc., etc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-528 -08cv4784
Barjan, LLC v. Champion Laboratories, Inc., et al., C.A. No. 3:08-534 -08cv4785
Packard Automotive, Inc. v. Honeywell International, Inc., et al., C.A. No. 3:08-600 -08cv4786
Parts Plus Group, Inc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-637 -08cv4787
Ward's Auto Painting & Body Works, Inc. v. Champion Laboratories, Inc., et al.,
C.A. No. 3:08-660 -08cv4788
Justus Austin, III v. Honeywell International, Inc., et al., C.A. No. 3:08-711 -08cv4789
Francis Doll, III, et al. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-718 -08cv4790
Gemini of Westmont, Inc., etc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-722 -08cv4791
Gasoline & Automotive Service Dealers of America, Inc. v. Champion Laboratories, Inc.,
et al., C.A. No. 3:08-729 -08cv4792

Northern District of Illinois

Lovett Auto & Tractor Parts, Inc. v. Champion Laboratories, Inc., et al., C.A. No. 1:08-2046
Neptune Warehouse Distributors, Inc. v. Champion Laboratories, Inc., et al.,
C.A. No. 1:08-2317
S.A.E. Warehouse, Inc. v. Champion Laboratories, Inc., et al., C.A. No. 1:08-2804
Pawnee/S.A.E. Warehouse, Inc. v. Champion Laboratories, Inc., et al., C.A. No. 1:08-2806

Southern District of Illinois

Manasek Auto Parts, Inc., etc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-305 -08cv4793
Big T, Inc., etc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-331 -08cv4794
Cal's Auto Service, Inc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-351 -08cv4795
WWD Parts, Inc., etc. v. Champion Laboratories, Inc., et al., C.A. No. 3:08-353 -08cv4796

District of New Jersey

Central Warehouse Sales Corp. v. Champion Laboratories, Inc., et al.,
C.A. No. 2:08-2123 - 08cv4797
All American Plazas of New Jersey, Inc. v. Honeywell International Inc., et al.,
C.A. No. 2:08-2302 - 08cv4798
Worldwide Equipment, Inc. v. Honeywell International, Inc., et al., C.A. No. 2:08-2303 -08cv4799

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Eastern District of Tennessee

Randall Bethea, et al. v. Champion Laboratories, Inc., et al., C.A. No. 2:08-126 -08cv4800

Middle District of Tennessee

Werner Aero Services v. Champion Laboratories, Inc., et al., C.A. No. 3:08-474 -08cv4801